

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
CAROL ROMANO,

Plaintiff,

-against-

BANC OF AMERICA INSURANCE SERVICES, INC.
and MONUMENTAL LIFE INSURANCE COMPANY,

Defendants.
-----X

Civil Action No. 07-2543

NOTICE OF MOTION

S I R S:

PLEASE TAKE NOTICE, that upon the annexed affirmation of NORMAN L. TOLLE, ESQ., dated September 21, 2007 and the exhibits annexed thereto, the affidavit of Roger Flood, dated September 21, 2007 and the exhibits annexed thereto, and the accompanying memorandum of law, the undersigned will move this court before the Honorable Joseph F. Bianco on November 16, 2007 at the Courthouse located at 100 Federal Plaza, Central Islip, New York, for an order, pursuant to 28 U.S.C. § 1404(a), transferring venue from the Eastern District of New York to the District of Maryland, together with such other and further relief as to this Honorable Court seem just and proper.


PLEASE TAKE FURTHER NOTICE, that plaintiff's opposition must be served on or before October 22, 2007, and defendant's reply must be served on or before October 31, 2007.

Dated: Uniondale, New York
September 21, 2007

Respectfully submitted,

RIVKIN RADLER LLP
Attorneys for Defendants
MONUMENTAL LIFE INSURANCE COMPANY

By:


NORMAN L. TOLLE, ESQ. (NLT - 5081)
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TO: Anthony J. Gallo, Esq.
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Paula J. Warmuth, Esq.
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2 Eighth Street
Farmingville, NY 11738
631-732-2000

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) SS. :
COUNTY OF NASSAU)

I, Lisa Sullo being sworn, say:

I am not a party to the action, am over 18 years of age and reside in West Babylon, New York.

On September 21, 2007, I served the within **Notice of Motion** by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name:


Anthony J. Gallo, Esq.
Attorney for Plaintiff
6080 Jericho Turnpike
Commack, New York 11725

Paula J. Warmuth, Esq.
Attorney for Banc of America Insurance Services, Inc.
Stim & Warmuth, P.C.
2 Eighth Street
Farmingville, NY 11738



Lisa Sullo

Sworn to before me this
21st day of September, 2007



Notary Public

DIANA DORSEY
Notary Public, State of New York
No. 01DO6067959
Qualified in Nassau County
Commission Expires December 24, 2009